

Waste Lands (Ireland) Bill.

ARRANGEMENT OF CLAUSES.

CLAUSES.

1. The Commissioners of Public Works may purchase waste lands.
2. Limited owners may convey same to the Commissioners.
3. The Commissioners shall effect main drainage, make roads, divide into allotments, and otherwise prepare lands so purchased for reclamation and cultivation by occupiers.
4. The Commissioners shall sell such allotments and receive purchase money by annuities payable half-yearly.
5. Definition of waste lands.
6. No action against Commissioners for compensation.
7. Appointment of engineers, &c. for the purposes of Act.
8. Purchase of mills, &c. for the purposes of Act.
9. Incorporation of provisions of Drainage and Improvement of Lands (Ireland) Act, 1863, and of Landlord and Tenant (Ireland) Act, 1870.

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TO

Promote the Reclamation of Waste Lands in Ireland.

A.D. 1875.

WHEREAS an Act was passed in the session of Parliament held in the tenth year of the reign of Her present Majesty, entitled An Act to facilitate the improvement of landed property in Ireland :

5 And whereas an Act was passed in the session of Parliament held in the thirty-third and thirty-fourth years of the reign of Her present Majesty, entitled The Landlord and Tenant (Ireland) Act (1870) :

And whereas it is expedient to extend the powers conferred by 10 said Acts respectively for the reclamation of waste lands in Ireland, and to facilitate the granting of loans by the Commissioners of Public Works in Ireland for said purpose, and for the purchase of estates by tenants in Ireland :

Be it enacted by the Queen's most Excellent Majesty, by and 15 with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. The Commissioners of Public Works (herein-after called the Commissioners) may from time to time contract with any landlord 20 or landlords in Ireland for the purchase of any estate or estates, consisting in the whole or part of waste lands, at and for such price as shall be considered by the Commissioners reasonable, and may pay the purchase moneys and all other moneys required for the purposes of this Act out of the moneys which from time to 25 time have been or shall be issued, or authorised to be issued, to said Commissioners under the aforesaid Acts.

Commissioners may purchase waste lands.

2. Owners of waste lands in Ireland who, by the provisions of the said Landlord and Tenant (Ireland) Act, 1870, are deemed owners for the purposes thereof respectively, shall be deemed owners 30 for the purposes of this Act, and shall be and are hereby enabled

Owners of waste lands may convey same to Commissioners.

[Bill 141.]

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A.D. 1875. to contract for and convey to the Commissioners the entire estate and interest in the lands so proposed to be sold and conveyed by them, subject to the provisions of the said Act as to the lodgment of money in court in the case of limited owners; and all owners, tenants, occupiers, or persons having rights of common, turbary, way, grazing, hunting, fishing, shooting, or other rights, shall be entitled to be paid out of the said purchase money such compensation as shall be ascertained in respect thereof by the court, in manner provided by said Landlord and Tenant (Ireland) Act, 1870.

The Commissioners shall effect main drainage, make roads, divide into allotments, and otherwise prepare lands so purchased for reclamation and cultivation by occupiers.

3. As soon as convenient after the purchase of said lands the Commissioners shall cause the main or general drainage thereof to be effected, and shall, when necessary, cause suitable roads, passages, approaches, and embankments to be constructed, and shall cause said lands to be divided into allotments of from ten acres to one hundred acres, as to the Commissioners may seem most suitable for the locality and the probable requirements of occupiers, and shall cause each allotment to be suitably fenced, and suitable tiled or slated houses to be erected thereon, and shall cause such other works to be effected as shall be deemed by them desirable in order to adapt said lands for reclamation and cultivation by occupiers; but the Commissioners shall not undertake the further reclamation or the cultivation of said lands, it being the intent of this Act that such reclamation and cultivation shall be effected by farmers and labourers who may become occupiers, and ultimately owners, of said allotments under the provisions herein-after contained.

The Commissioners shall sell such allotments and receive purchase money by instalments payable half-yearly.

4. When said main or general drainage shall have been effected, said allotments made, and said lands otherwise prepared for occupation in manner and to the extent aforesaid, the Commissioners shall cause advertisements to be inserted in the Dublin Gazette and in two newspapers published in the county in which said lands are situate or the counties next adjoining thereto, describing said allotments and inviting tenders for the purchase thereof for purposes of reclamation and cultivation by occupiers, and the said Commissioners shall be authorised to sell said allotments, or any of them, for such purposes, at a rate of purchase equal to a proportionate part of the price paid by said Commissioners for said lands and the subsequent expenditure by the Commissioners thereon, with interest at the rate of three and a half per centum per annum; and upon every such sale each allotment sold shall be deemed to be charged with an annuity of five pounds for every one hundred pounds of the purchase money thereof, or of such portion of the purchase money as shall not have been paid by the purchaser to the

A.D. 1876.

Commissioners, such annuity to be limited in favour of the Commissioners and to be payable by equal half-yearly payments within a term of thirty-five years, to commence from the end of the second year after such sale; and in the event of no tender being sent in to the Commissioners within three months from the date of such advertisements, or in the event of such tender being insufficient or otherwise unsatisfactory, the Commissioners shall have power to sell or cause to be sold said allotments, or any of them, by public auction, and upon every such sale the purchase money, or any part thereof not paid, shall be charged in manner aforesaid; and in the event of the biddings at such auction proving insufficient or otherwise unsatisfactory said Commissioners shall have power to demise said allotments, or any of them, by lease, with or without fine, at such rent, for such terms, and with such covenants as the Commissioners may deem fit, but with a proviso in every such lease that the tenant may become purchaser of his allotment on the terms aforesaid.

5. The term waste lands shall be deemed to mean and include all mountain and other bog land, and all cut away bog land which shall not have been completely drained and rendered fit for profitable cultivation, all wet land or lands lying wholly or partially under water and incapable of proper cultivation for want of draining, all moor lands, common fields, or commons, and uncultivated lands which on the average of the entire tract would not let for more than five shillings an acre per annum, but which are capable of being made worth at least ten shillings per acre per annum, all slob, tidal, or riparian lands which are partially or periodically covered with the waters of any sea, lake, or river, which by the lowering of such waters would be left high and dry or capable of cultivation, and all lands or other tenements within the boundaries of any city, town, or village which for the space of twenty years may have been lying unoccupied and unused from defect of title or want of legal title.

Definition of waste lands.

6. No person shall be entitled to take any proceedings at law or in equity for the recovery of any compensation or damages in respect of any property by reason of any act of the Commissioners or any works which they shall execute, but his right to any compensation or damages and the amount thereof shall be ascertained and be recoverable in the manner provided by the said Landlord and Tenant (Ireland) Act, 1870, and the said Commissioners, their engineers or officers, shall not be personally liable for any act or acts done or purporting to have been done under this Act or the Acts incorporated therewith.

No action against Commissioners for compensation.

A.D. 1875.

Appoint-
ment of en-
gineers, &c.
for the pur-
poses of Act.

Purchase of
mills, &c. for
the purposes
of Act.

Incorpora-
tion of pro-
visions of
Drainage
and Im-
provement of
Lands (Ire-
land) Act,
1868, and
of Landlord
and Tenant
(Ireland)
Act, 1870.

7. The Commissioners may from time to time appoint such engineers, surveyors, agriculturalists, and other officers as may be necessary for the carrying this Act into execution, at such salaries and on such terms as shall be deemed by said Commissioners to be reasonable.

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8. The Commissioners may contract for and purchase any lands, mills, and water power which may be thought necessary or proper to purchase for accomplishing any of the purposes of this Act, making compensation to the persons entitled to or interested therein as shall be agreed or otherwise settled or ascertained in manner in said Landlord and Tenant (Ireland) Act, 1870, provided.

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9. All clauses and provisions in the Drainage and Improvement of Lands (Ireland) Act, 1868, and in the Acts incorporated therewith, relating to entry on lands, power to execute works, assessment of compensation, preliminary and final awards, and other the powers and authorities therein conferred on the Commissioners of Public Works in Ireland, and all powers and authorities relating to advances for the purchase of lands, and for charging, securing, recovering, and redeeming such advances, conferred on said Commissioners by the said Landlord and Tenant (Ireland) Act, 1870, shall be deemed to be incorporated herewith, as far as same are consistent with the provisions herein-before contained.

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To promote the Reclamation of Waste
Lands in Ireland.

(Prepared and brought in by
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Sir Kenealy Paken, Mr. William Shaw,
and Mr. Martin.)

*Ordered, by The House of Commons, to be Printed,
27 April 1875.*

[Bill 141.]

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